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April 16, 2008

Via Email

Matthew Franklin Jaksa
Holme Roberts & Owen LLP
560 Mission Street, 25th Floor
San Francisco, CA 94105-2994

Gerald Blaine Singleton
Law Offices of Gerald Singleton
1950 Fifth Ave., Suite 200
San Diego, CA 92101

Re: Warner Bros. Records Inc. v. Doe
Case No. C07-03094 CW MED

Dear Counsel:

As you know, I have been appointed by the District Court to serve as the mediator in this case as part of the court's Mediation program. Please be sure to review carefully ADR L.R. 6 which governs the Mediation program.

Pursuant to ADR L.R. 6-6, I will conduct a telephone conference with all counsel before the formal mediation to discuss the following:

- the procedures to be followed;
- the nature of the case;
- appropriate dates for the mediation and anticipated length of the session;
- the parties who must be present under ADR L.R. 6-9 and the parties who need to be present to have a productive mediation session;
- ideas to improve the effectiveness of the mediation session or matters that could pose impediments;

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- requirements for your written mediation statements; and
- any questions you might have about the mediation.

I anticipate that the telephone conference will last approximately one-half hour. I propose to have the telephone conference on Tuesday, April 29, 2008, at 11:00 a.m. *Please call my office or send a reply email by the close of business on Wednesday, April 23, 2008 to confirm your availability. If you are not available, please confer with opposing counsel and let me know alternative times within a week of this date when you are both available.* Before the telephone conference, please ascertain from your clients a selection of dates upon which the mediation may be conducted. The final date that the mediation can be held is June 24, 2008, based on the current scheduling order.

In the interest of full disclosure under ADR L.R. 2-5(d) and 28 U.S.C. §455(a), I wish to advise you of a representation that came to my attention during a check for potential conflicts of interest. One of my colleagues in another of the Firm's offices represents Warner Music Group, which I understand to be the parent of plaintiff Warner Brothers Records, in an unrelated business transaction. I have not had any involvement in that matter.

In addition, a colleague in another of the Firm's offices represents a party adverse to Sony/ATV Music Publishing LLC in an arbitration. I have had no involvement in that matter and do not know what corporate relationship may exist between Sony/ATV Music Publishing and plaintiff Sony BMG Music Entertainment.

I do not believe that these matters would prevent me from serving as an unbiased mediator in this case, and I do not understand it to require automatic disqualification under 28 U.S.C. §455(b). However, if this matter causes you or your clients concern about my ability to serve impartially, you are required to communicate your objection in writing to the ADR Unit within ten calendar days of your receipt of this letter. (See ADR L.R. 2-5(d)).

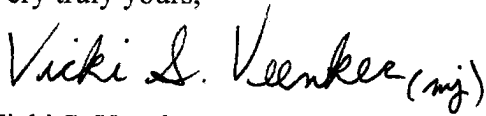
Because, consistent with the Court's policy, I will volunteer my preparation time and the first four hours of the mediation without charge and because the mediation is a relatively short-lived matter, the Firm requests that plaintiff companies waive any prospective conflict that may arise as a result of my service as a mediator in this case. Please let me know if any of the plaintiff entities objects to this waiver.

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I look forward to assisting you on this case.

Very truly yours,

A handwritten signature in black ink that reads "Vicki S. Veenker" followed by a small, stylized monogram "(mj)" in parentheses.

Vicki S. Veenker

VSV:mj

cc: Clerk's Office - ADR Unit